

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

MARCUS TELFORD

PLAINTIFF

V.

CIVIL ACTION NO. 3:18-CV-507-DPJ-FKB

RON KING, ET AL.

DEFENDANTS

ORDER

This conditions-of-confinement case under 42 U.S.C. § 1983 is before the Court on Defendants' Motion for Summary Judgment [13] and the unopposed Report and Recommendation [23] of United States Magistrate Judge F. Keith Ball. Judge Ball recommended dismissal of Plaintiff Marcus Telford's claims for failure to exhaust available administrative remedies. Telford failed to file objections, and the time to do so has now expired. Having reviewed the unopposed Report and Recommendation, the Court agrees with Judge Ball that dismissal for failure to exhaust is appropriate.

The Report and Recommendation [23] is adopted as the opinion of the Court. Defendants' Motion for Summary Judgment [13] is granted, and this case is dismissed without prejudice. Plaintiff's Motion to Compel [11] is considered moot. A separate judgment will be entered in accordance with Federal Rule of Civil Procedure 58.

**SO ORDERED AND ADJUDGED** this the 23rd day of August, 2019.

s/ Daniel P. Jordan III  
CHIEF UNITED STATES DISTRICT JUDGE